

AN ACT

ENTITLED, An Act to revise certain boating and snowmobile accident reporting procedures.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 42-8-58 be amended to read as follows:

42-8-58. The operator of a boat on public waters shall, in the case of a collision or an accident resulting in damage to a boat or other property to an apparent extent of five hundred dollars or more or resulting in death or injury to a person, immediately, by the quickest means of communication, give notice of the collision or accident to the nearest conservation officer or other law enforcement officer. The officer shall file with the Department of Game, Fish and Parks a full description of the collision or accident upon forms provided by the department and available from any state or county law enforcement agency. Notice of the collision or accident is not required of any person who is physically incapable of giving immediate notice during the period of such incapacity. If the operator of the boat is physically incapable of giving an immediate notice of a collision or accident and there was another occupant in the boat at the time of the collision or accident capable of doing so, such occupant shall make or cause to be given the notice not given by the operator. The secretary of game, fish and parks may investigate the circumstances of the accident. Any operator or occupant who fails to file a notice as required by this section is guilty of a Class 2 misdemeanor.

Section 2. That § 32-20A-19 be amended to read as follows:

32-20A-19. The operator of a snowmobile on public lands, frozen public waters, or private lands leased for public snowmobile use shall, in the case of a collision or an accident resulting in damage to a snowmobile or other property to an apparent extent of five hundred dollars or more or resulting in death or injury to a person, immediately, by the quickest means of communication, give notice of the collision or accident to the nearest conservation officer or other law enforcement officer who shall file with the Department of Game, Fish and Parks a full description of the collision or accident upon forms provided by the department and available from any state, county, or local law enforcement

agency. If the operator of the snowmobile is physically incapable of giving an immediate notice of a collision or accident and there was another occupant in the snowmobile at the time of the collision or accident capable of doing so, such occupant shall make or cause to be given the notice not given by the operator. The secretary of game, fish and parks may investigate the circumstances of such accidents. Any operator or occupant who fails to file a notice as required by this section is guilty of a Class 2 misdemeanor.

Section 3. That § 32-20A-20 be amended to read as follows:

32-20A-20. Notice of the collision or accident is not required from any person who is physically incapable of making such report during the period of such incapacity.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1024

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1024

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State